

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

20-CR-184

MELANIE THOMPSON,

Defendant.

**NOTICE OF MOTION AND MOTION TO SEAL
GOVERNMENT'S SENTENCING MEMORANDUM**

THE UNITED STATES OF AMERICA, by and through its attorneys, James P. Kennedy, Jr., United States Attorney, and Jeffrey T. Fiut, Special Assistant United States Attorney, of counsel, hereby moves this Court to seal the Government's Sentencing Memorandum.

DATED: Buffalo, New York, July 23, 2021.

JAMES P. KENNEDY, JR.
United States Attorney

BY: s/Jeffrey T. Fiut
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v.

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MELANIE THOMPSON,

Defendant.

**DECLARATION IN SUPPORT OF THE GOVERNMENT'S MOTION TO SEAL
SENTENCING MEMORANDUM**

I, **JEFFREY T. FIUT**, declare the following under 28 U.S.C. § 1746, and state that under penalty of perjury the following is true and correct to the best of my knowledge and belief:

1. I am a Special Assistant United States Attorney for the Western District of New York and am assigned to my office's file concerning the above-captioned matter.

2. This declaration is submitted in support of the government's motion to file its sentencing memorandum under seal.

3. On July 19, 2021 the government filed its sentencing memorandum.

4. The government's sentencing memorandum contains information regarding one of the minor victims in this case that could lead to the disclosure of the victim's identity. Therefore, pursuant to 18 U.S.C. § 3509(d), the government requests that its sentencing

memorandum be filed under seal *nunc pro tunc*.

WHEREFORE, the government respectfully requests that the Court grant the government's motion to seal its sentencing memorandum and file said response under seal *nunc pro tunc*.

DATED: Buffalo, New York, July 23, 2021.

JAMES P. KENNEDY, JR.
United States Attorney

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Special Assistant United States Attorney
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